



PUBLIC NOTICE

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**Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554**

**DA 02-753
April 3, 2002**

**COMMENTS INVITED ON IOWA TELECOMMUNICATIONS SERVICES, INC. b/b/a
IOWA TELECOM APPLICATION TO DISCONTINUE DOMESTIC
TELECOMMUNICATIONS SERVICES**

Comp. Pol. File No. W-P-D-575

Comments Due: May 3, 2002

Section 214 Application

Applicant: Iowa Telecommunications Services, Inc. d/b/a Iowa Telecom

On **March 22, 2002**, **Iowa Telecommunications Services, Inc. d/b/a Iowa Telecom** (Applicant or Iowa Telecom), located at **115 South Second Avenue, West, Newton, IA 50208**, filed an application with the Federal Communications Commission (FCC or Commission), requesting authority under section 214(a) of the Communications Act of 1934, as amended, 47 U.S.C. § 214(a), and section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to discontinue certain of its domestic telecommunications services.

The application indicates that Iowa Telecom seeks authority to discontinue providing certain of its domestic telecommunications services to approximately eight hundred two (802) customers in the Corwith and Klemme exchanges in the state of Iowa. Iowa Telecom states that it has agreed to sell these exchanges to Norway Rural Telephone Company (Norway Telecom), which will provide local and interstate telecommunications services to these customers after the transfer.¹ Iowa Telecom states that no customers will lose their access to local exchange service.

¹ Common carriers are reminded that sales of customer accounts are subject to other Commission rules. Specifically, a carrier acquiring all or part of another carrier's subscriber base must comply with the Commission's rules designed to prevent slamming. See *e.g.*, 47 C.F.R. § 64.1120(e).

The application states that the Iowa Utilities Board has already approved Iowa Telecom's transfer of these exchanges to Norway Telecom. Applicant states that Norway Telecom is an established telecommunications carrier that has been in business since 1909, and which currently provides local and interexchange services to residential and business customers in the adjacent community of Kanawha, Iowa.

Applicant explains that although Iowa Telecom and Norway Telecom generally offer similar telecommunications services at similar rates, some customers in the Corwith and Klemme exchanges will have to change their current toll calling plans after the sale because two of Iowa Telecom's local calling plans (Plans) will be discontinued. Applicant explains that the first toll plan is Iowa Telecom's "Community Plus" plan, permitting subscribers to place calls to communities within a thirty- (30) mile radius of Corwith and Klemme at a rate of nine cents (\$.09) per minute, for a monthly charge of one dollar (\$1.00). Applicant explains that the second toll plan is Iowa Telecom's "Premium Calling Plan," permitting subscribers to place calls within a thirty- (30) mile radius on a toll free basis, for a monthly charge of twenty-five dollars (\$25.00). Applicant states that Norway Telecom intends to introduce plans to replace the discontinued Iowa Telecom offerings. Iowa Telecom also states that nearly all of the customers that currently subscribe to the Plans use less than three hundred sixty (360) minutes of service per month. As a result, Applicant states that Norway Telecom intends to offer its customers a new, discounted calling plan under which they may obtain three hundred sixty (360) minutes of nationwide calling for a charge of twenty-five dollars (\$25.00) per month, plus nine cents (\$.09) for each additional minute.

Iowa Telecom states that it is aware that many of the Plans' subscribers place more than three hundred sixty (360) minutes of calls per month to reach a non-local Internet service provider (ISP). To address this issue, Applicant states that Norway Telecom will offer six (6) months of free Internet access to customers in these exchanges if they select Norway Telecom as their new ISP. Applicant also states that Norway Telecom will provide these services on a local dial-up basis, and no toll connection will be required.

The application states that Iowa Telecom has developed two forms of customer notice. Specifically, Applicant states that customers who presently subscribe to one or both of the Plans will receive information about Norway Telecom's new toll plan and/or ISP service. For non-Plan subscribers, this information will not be provided. According to the application, both notices contain the language required by Commission rules.²

In accordance with 47 C.F.R. § 63.71(c), the application will be deemed to be automatically granted on the sixtieth (60th) day after the release date of this notice, unless the Commission has notified Applicant that the grant will not be automatically effective. The Commission will normally authorize proposed discontinuances of service unless it is shown that customers or other end users would be unable to receive service or a reasonable substitute from another carrier, or that the public convenience and necessity would be otherwise adversely affected.

This proceeding is considered a "permit but disclose" proceeding for purposes of the Commission's *ex parte* rules.³ Comments objecting to this application must be filed with the Commission by **May 3, 2002**. Such comments should refer to application file number **W-P-D-575**. Comments should include specific information about the impact of this proposed discontinuance on the commenter, including any inability to acquire reasonable substitute

² See 47 C.F.R. § 63.71(a)(5)(i).

³ See generally 47 C.F.R. §§ 1.1200 - 1.1216.

service. Comments should be sent to the Office of the Secretary, Federal Communications Commission, 445 12th Street, SW, Room TW-A325, Washington, DC 20554. Two (2) copies of the comments should also be sent to the Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, SW, Room 6-A207, Washington, DC 20554, Attention: Carmell Weathers. Comments should also be served upon Applicant. Commenters are also requested to fax their comments to the FCC at (202) 418-2345, Attention: Jon Minkoff.

Interested parties who wish to file comments via messenger-delivery or hand-delivery are also notified that effective December 18, 2001, the Commission will only receive such deliveries weekdays from 8:00 a.m. to 7:00 p.m., via its contractor, Vistrionix, Inc., located at 236 Massachusetts Avenue, NE, Suite 110, Washington, DC 20002. **The Commission no longer accepts these filings at 9300 East Hampton Drive, Capitol Heights, MD 20743.** Please note that all hand deliveries must be held together with rubber bands or fasteners, and envelopes must be disposed of before entering the building. In addition, this is a reminder that as of October 18, 2001, the Commission no longer accepts hand-delivered or messenger-delivered filings at its headquarters at 445 12th Street, SW, Washington, DC 20554. Other messenger-delivered documents, including documents sent by overnight mail (other than United States Postal Service (USPS) Express and Priority Mail), must be addressed to 9300 East Hampton Drive, Capitol Heights, MD 20743. This location is open weekdays from 8:00 a.m. to 5:30 p.m. USPS First-Class, Express, and Priority Mail should be addressed to the Commission's headquarters at 445 12th Street, SW, Washington, DC 20554. The following chart summarizes this information:

TYPE OF DELIVERY	PROPER DELIVERY ADDRESS
Hand-delivered or messenger-delivered paper filings	236 Massachusetts Avenue, NE, Suite 110, Washington, DC 20002 (Weekdays - 8:00 a.m. to 7:00 p.m.)
Other messenger-delivered documents, including documents sent by overnight mail (this type excludes USPS Express and Priority Mail)	9300 East Hampton Drive, Capitol Heights, MD 20743 (Weekdays - 8:00 a.m. to 5:30 p.m.)
USPS First-Class, Express, and Priority Mail	445 12 th Street, SW Washington, DC 20554

The application will be available for review and copying during regular business hours at the FCC Reference Center, Portals II, 445 12th Street, SW, Room CY-A257, Washington, DC 20554, (202) 418-0270. A copy of the application may also be purchased from the Commission's copy contractor, Qualex International, Portals II, 445 12th Street, SW, Room CY-B402, Washington, DC, 20554, telephone 202-863-2893, facsimile 202-863-2898, or via e-mail at qualexint@aol.com.

For further information, contact Carmell Weathers, (202) 418-2325 (voice), cweather@fcc.gov, or Jon Minkoff (202) 418-2353 (voice), jminkoff@fcc.gov, of the Competition Policy Division, Wireline Competition Bureau. The TTY number is (202) 418-

0484. For further information on procedures regarding Section 214 please visit:
http://www.fcc.gov/wcb/cpd/other_adjud/domestic.html.

-FEDERAL COMMUNICATIONS COMMISSION-